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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FCC - MAILROOM

In the Matter of)

Western New Life, Inc.)

MM Docket No. 91-259

Construction Permit for WJZG-FM)

Facility ID 3250)

Culebra, Puerto Rico)

To: Office of the Secretary

Att: Peter Doyle, Chief ASD, MB

OPPOSITION TO MOTION TO STRIKE

Juan C. Matos Barreto and Ana G. Velez Montes, husband and wife and principals of WESTERN NEW LIFE, INC. ("Western"), Construction Permit holder of WJZG-FM, Channel 254A Culebra, Puerto Rico, respectfully submit their opposition to the Motion to Strike filed by V.I. Stereo Communications Corporation ("VI Stereo"), and state as follows:

The sole basis of VI Stereo's Motion to Strike ("Motion") is that Western's initial Request for Urgent Action "did not involve WVIS in any active way [so] WVIS did not respond to the Request." In fact, VI Stereo's commencement of operation was the whole reason behind Western's filing of the Request:

The operation of WJZG through an STA is jeopardized due to an FCC decision to reinstate the license of Station WVIS, licensed to V.I. Stereo Communications, WVIS operate on Channel 291B (106.1) and WJZG-FM operates on a temporary basis on Channel 293A (106.5MHz) if WVIS turns on their signal on or before December 6, 2007 station WJZG must cease operation in order to avoid prohibited interference with WVIS-FM.

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The impact of WVIS on the continued operation of WJZG has been well known and undisputed for years, ever since the original Report and Order issued in MM Docket 91-259 in 1995. Even absent a specific reference, since WVIS is part of the implementation situation in Docket 91-259, its relevance can be presumed in any pleading relating to the docket, even a reply pleading. But in this case, there was certainly specific reference of WVIS in the initial request.

VI Stereo is trying to separate the issue of its obligation to reimburse parties to the proceeding who are being forced to move pursuant to VI Stereo's request from every other related implementation issue. It cannot do so. It's obligation to reimburse is clearly stated in the Report and Order in MM Docket 91-259, and even though VI Stereo would prefer to avoid that issue and its obligations thereunder, it cannot.

VI Stereo's contention that its obligation to reimburse is a new issue, raised for the first time in a reply pleading is meritless. That issue has been present since 1995, and is impossible to separate from the broader issue of how to get the Report and Order implemented so that WJZG can obtain an FCC license, after almost nine years of operating by way of an STA because the proponents of the original Docket 91-259 proceeding refuse to perform ***as ordered*** by the FCC.¹

¹ Interestingly, VI Stereo's Motion to Strike does not address the question of whether VI Stereo has done anything in the past, or intends to do anything in the future to fulfill its obligation to reimburse.

For these reasons, the Motion to Strike filed by V.I. Stereo
Communications Corporation should be denied.

Respectfully Submitted,

WESTERN NEW LIFE, INC.

By: 
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Its Counsel

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October 25, 2007

CERTIFICATE OF SERVICE

I, Scott C. Cinnamon, do certify that I have on this 25nd day of October, 2007, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "Opposition to Motion to Strike" to the following:

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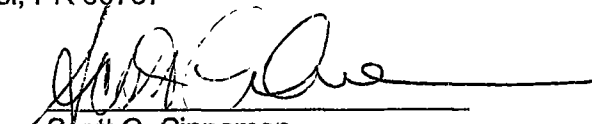
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